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LEGISLATIVE SUPPLEMENT

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PART II

GOVERNMENT OF PUNJAB

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB

NOTIFICATION

The 18th August, 2016

No. 28-Leg./2016.-The following Ordinance of the Governor of Punjab, promulgated under clause (1) of article 213 of the Constitution of India on the 12th day of August, 2016, is hereby published for general information:-

THE KHALSA UNIVERSITY ORDINANCE, 2016.

(Punjab Ordinance No. 6 of 2016)

AN

ORDINANCE

to establish and incorporate a University in the State of Punjab to be known as the Khalsa University for the purposes of making provisions for instruction, teaching, education, research, training and related activities at all levels in disciplines of higher education including professional, medical, technical, general education, language and literature and to provide for the matters connected therewith or incidental thereto;

Whereas the Khalsa College Charitable Society, Sri Amritsar registered under the Societies Registration Act, 1860, (XXI of 1860), made a proposal to the State Government for setting up a self-financing University in the State of Punjab on the basis of the Punjab Private Universities Policy, 2010 and to make provisions for all the streams of higher education at all levels;

Whereas the State Government, after due consideration of the said proposal of the aforesaid Society, has come to the conclusion that the aforesaid Society is capable of establishing and running the University and accordingly has accepted its proposal for the establishment of the said Private University ;

And whereas in the circumstances referred above, it is deemed expedient to establish the Khalsa University for the aforesaid purposes.

Promulgated by the Governor of Punjab in the Sixty-seventh Year of the Republic of India.

Whereas the Legislative Assembly of the State of Punjab is not in session and the Governor is satisfied that circumstances exist, which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Punjab is pleased to promulgate the following Ordinance, namely:-

Short title and
commencement.

1. (1) This Ordinance may be called the Khalsa University Ordinance, 2016.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

Definitions.

2. In this Ordinance, unless the context otherwise requires,-

- (a) 'Academic Council' means the Academic Council of the University;
- (b) 'authorities' means the authorities of the University;
- (c) 'Board of Management' means the Board of Management of the University;
- (d) 'Board of Studies' means a body to be constituted by the Governing Body ;
- (e) 'campuses' means a contiguous area within which the University is situated;
- (f) 'Chancellor' means the Chancellor of the University;
- (g) 'Chief Finance and Accounts Officer' means the Chief Finance and Accounts Officer of the University;
- (h) 'Dean' means the Dean of the University;
- (i) 'Governing Body' means the Governing Body of the University;
- (j) 'institution' means an institution or institute or college or academic centre (by whatever name it may be called) run or managed by the University within the campus;
- (k) 'prescribed' means prescribed by the statutes, ordinances and regulations;
- (l) 'President' means the President of the Society;
- (m) 'Registrar' means the Registrar of the University;
- (n) 'State Government' means the Government of the State of Punjab;
- (o) 'statutes', 'ordinances' and 'regulations' means the statutes, ordinances and regulations of the University made by it under this Ordinance;
- (p) 'teacher' includes Professor, Reader, Associate Professor, Assistant Professor, Lecturer and any such other person who imparts instruction in the University;

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- (q) 'Society' means the Khalsa College Charitable Society, registered under the Societies Registration Act, 1860 (XXI of 1860);
- (r) 'University' means the Khalsa University established under section 3 of this Ordinance;
- (s) 'Vice-Chancellor' means the Vice-Chancellor of the University; and
- (t) 'Visitor' means the Visitor of the University.
3. (1) There shall be established a private University by the name of the Khalsa University in the State of Punjab. Establishment of the University.
- (2) The University shall be run and managed by the Society in accordance with the provisions of this Ordinance.
- (3) The University shall be a body corporate by the name mentioned in sub-section (1) and shall have perpetual succession and a common seal. It shall have the power to acquire, hold, dispose of property both moveable and immoveable and to make contract and shall sue and be sued by the said name.
- (4) The headquarters of the University shall be located at G.T. Road, Sri Amritsar.
- (5) The University shall be self-financed and it shall not be entitled to receive any grant or other financial assistance from the State Government.
4. The objects of the university shall be,- Objects of the University.
- (i) to provide for instruction, teaching, education, research and training at all levels in all disciplines of higher education including professional, medical, technical, general education and in any other stream and subject, as per the needs of the industry and the society in general, as may be deemed necessary by the University through all the modes of education as may emerge or become relevant in future;
- (ii) to promote the academic aspirations of the rural students;
- (iii) to undertake industry oriented teaching, training and research extension programmes and to provide employable skills with a view to contribute to the development of the society;
- (iv) to provide for research, creation, advancement and dissemination of knowledge, wisdom and understanding;
- (v) to encourage and motivate leading industrial houses for setting up at the campuses their respective corporate institutes for academia industry nexus;

Powers and
functions of the
University.

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- (vi) to disseminate knowledge so as to make it accessible to all strata of the society;
 - (vii) to promote the Punjabi studies to provide for research in Punjabi language and literature and to undertake measures for the development of Punjabi language, literature and culture; and
 - (viii) to do all such things as may be necessary or desirable to further the objects of the University.
5. The University shall have the following powers and functions to be exercised and performed by it or through its officers and authorities, namely:-
- (i) to make provisions and adopt all measures (including adoption and updating of the curricula) in respect of starting courses of study, teaching, training, research, consultancy and granting affiliation relating to the courses through traditional as well as new innovative modes including online education modes;
 - (ii) to conduct examinations for granting or conferring Doctorate, Masters, Degrees, Diplomas and Certificates;
 - (iii) to institute and confer the designation of Professor, Associate Professor, Assistant Professor, Reader, Lecturer or any other equivalent designation, as may be required by the University in its campuses or its institutions and to appoint persons as such;
 - (iv) to institute and award fellowships, scholarships, studentships, exhibitions, as may be prescribed;
 - (v) to provide for equivalence of the degrees, diplomas and certificates of the students completing their courses partially or in full from any other recognized University, Board or Council or any other competent authority in India;
 - (vi) to provide for dual degree, diploma or certificate vis-à-vis other Universities on reciprocal basis;
 - (vii) to set up central library, departmental libraries, museums and allied matters within the campus;
 - (viii) to demand and collect fees and other charges, as may be prescribed;
 - (ix) to hold, manage and run the funds of the Society and endowments created in favour of the University;
 - (x) to institute and confer honorary degrees, as may be prescribed;

- (xi) to print and publish the works of the academic excellence and to establish chairs of excellence;
- (xii) to take special measures for the spread of educational facilities amongst the educationally backward strata of society;
- (xiii) to encourage and promote sports;
- (xiv) to create technical, administrative, ministerial and other necessary posts and to make appointments thereto;
- (xv) to receive grants from the University Grants Commission and other Central or State agencies;
- (xvi) to receive and to raise loans and advances for the University;
- (xvii) to undertake research projects on mutually acceptable terms and conditions in respect of agriculture, industry and business;
- (xviii) to provide consultancy services ;
- (xix) to encourage and promote extra-curricular activities for personality development of the students, teachers and employees of the University;
- (xx) to purchase, acquire and take on lease or mortgage, any immovable or movable property and to sell, lease, mortgage, alienate and transfer any immovable or movable property belonging to or vested in the University;
- (xxi) to prescribe the fee structure for various categories of students;
- (xxii) to seek collaboration with other institutions on mutually acceptable terms and conditions;
- (xxiii) to fix, determine and provide salaries, remunerations, honoraria to teachers and employees of the University in accordance with the norms specified by the University Grants Commission;
- (xxiv) to do self-certification, which shall be exempted from obtaining any permission, approval, license, certificate, no objection certificate or authorization from the State Government or any other body set-up by the State Government;
- (xxv) to frame statutes, ordinances and regulations for carrying out the objects of the University; and
- (xxvi) to perform all such other functions, which may be necessary or desirable in furtherance of the objects of the University.

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| Jurisdiction of the University. | <p>6. (1) The University shall exercise its jurisdiction within its campuses.</p> <p>(2) The University shall affiliate to it those educational or professional institutions, established, run or managed by the Society within the campus regard to which a specific decision is taken by the Society.</p> |
| Officers of the University. | <p>7. The following shall be the officers of the University, namely:-</p> <ul style="list-style-type: none"> (i) the Visitor; (ii) the Chancellor; (iii) the Vice-Chancellor; (iv) the Registrar; (v) the Deans of the faculties; (vi) the Chief Finance and Accounts Officer; and (vii) such other officers of the University, as may be declared by the statutes, to be the officers of the University. |
| The Visitor. | <p>8. (1) The Governor of Punjab shall be the Visitor of the University.</p> <p>(2) The Visitor shall preside over the convocation of the University for conferring degrees and diplomas.</p> <p>(3) The Visitor shall have the right to call for any information relating to the affairs of the University.</p> <p>(4) The Visitor, in consultation with the Chancellor, may cause the inspection, scrutiny, investigation, survey or inquiry or any other such like thing to be made by such person, as he may direct in respect of administrative, academic or executive matters of the University.</p> <p>(5) The Visitor shall, in every case, give notice to the University of his intention to cause the inspection, scrutiny, investigation, survey or inquiry or any other such like thing to be made and the University shall appoint a representative, who shall be present at such inspection, scrutiny, investigation, survey or inquiry or any other such like thing, as the case may be.</p> <p>(6) The Visitor may inform the Vice-Chancellor about the results of such inspection, scrutiny, investigation, survey or inquiry and the Vice-Chancellor shall communicate to the Governing Body, the views of the Visitor along with such advice, as the Visitor may have tendered and the action to be taken on such advice.</p> <p>(7) The Vice-Chancellor shall inform the Visitor about the action taken or proposed to be taken by the University with respect to the inspection, scrutiny,</p> |

investigation, survey, inquiry or any other such like thing, as the case may be.

(8) If the State Government considers it appropriate in public interest to make inspection, scrutiny, investigation, survey or inquiry, as the case may be, in respect of any matter relating to the University or its institutions, a reference shall be made by the State Government to the Visitor, who shall, in consultation with the Chancellor, cause such inspection, scrutiny, investigation, survey or inquiry to be made.

9. (1) The President shall be the Chancellor of the University and the Chancellor, in the absence of the Visitor, shall preside over the convocation of the University.

(2) The Chancellor shall be the Chairman of the Governing Body and he shall approve all appointments, nominations, removals, suspensions and reinstatements of the employees and officers of the University either *suo-moto* or on the recommendation of the authority concerned of the University.

(3) The Chancellor may amend or revoke any decision taken by any authority or officer of the University and may exercise his powers either *suo-moto* or otherwise to do all things to facilitate the smooth functioning of the University.

(4) The Chancellor shall have the power to do all such other functions as may be required to further the objects of the University and any matter incidental thereto and the decision taken by the Chancellor shall be final and binding on all the concerned of the University.

(5) If, in the opinion of the Chancellor, any decision of any officer or authority or the University is beyond the power conferred under this Ordinance or the statutes or ordinances or regulations or is likely to be prejudicial to the interests of the University, he shall ask such officer or authority to revise its decision within a period of fifteen days and in case the officer or authority refuses to revise such decision, wholly or partly or fails to take any decision within a period of fifteen days, the decision of the Chancellor shall be final.

(6) If, at any time, upon the representation made or otherwise, it appears to the Chancellor that the Vice-Chancellor or any other officer of the University,-

- (a) has made default in performing any duty imposed upon him under this Ordinance or otherwise; or
 - (b) has acted in a manner prejudicial to the interests of the University;
- or

(c) is incapable of managing the affairs of the University,

the Chancellor may, notwithstanding the fact that term of that officer has not expired, by an order in writing and stating the reasons therein, require the Vice-Chancellor or the officer concerned to relinquish his office from such date as may be specified in the order. The Vice-Chancellor or the officer concerned shall be deemed to have relinquished his office from the date so specified:

Provided that no such order shall be passed, unless the grounds on which such action is proposed to be taken are communicated to the Vice-Chancellor or officer concerned and he is given reasonable opportunity of being heard.

The Vice-
Chancellor.

10. (1) The Vice-Chancellor shall be appointed by the Chancellor from amongst the panel of three persons recommended by the Governing Body.

(2) No person shall be appointed as Vice-Chancellor, unless he possesses such qualifications as are specified by the University Grants Commission.

(3) The Vice-Chancellor shall be the overall in-charge of the University, who shall exercise general superintendence and control in the affairs of the University and shall execute the decisions of various authorities of the University.

(4) In case of the absence of the Visitor and the Chancellor, the Vice-Chancellor shall preside over convocation of the University.

(5) The Vice-Chancellor shall exercise such powers and perform such functions, as may be prescribed.

The Registrar.

11. (1) The Registrar shall be appointed by the Chancellor from amongst the panel of three persons recommended by the Governing Body.

(2) No person shall be appointed as Registrar, unless he possesses such qualifications as are specified by the University Grants Commission.

(3) The Registrar shall sign all contracts and authenticate all documents or records for and on behalf of the University.

(4) The Registrar shall be the Member-Secretary of the Governing Body, the Board of Management and the Academic Council but he shall not have the right to vote.

(5) The Registrar shall exercise such other powers and perform such other functions, as may be prescribed.

The Chief
Finance and
Accounts Officer.

12. (1) The Chief Finance and Accounts Officer shall be appointed by the Chancellor in such manner, as may be prescribed.

(2) No person shall be qualified to be appointed as Chief Finance and Accounts Officer, unless he has passed the Chartered Accountancy Test conducted by the Institute of Chartered Accountants of India.

(3) The Chief Finance and Accounts Officer shall exercise such powers and perform such functions, as may be prescribed.

13. (1) The University may appoint such other officers, as it may deem necessary for its smooth functioning. Other officers.

(2) The manner of appointment of such other officers of the University and their powers and functions shall be such, as may be prescribed.

14. The following shall be the authorities of the University, namely:-

Authorities of
the University.

- (i) the Governing Body;
- (ii) the Board of Management;
- (iii) the Academic Council; and
- (iv) such other authorities, as may be declared by the statutes to be the authorities of the University.

15. (1) The Governing Body of the University shall consist of the following persons, namely :- The Governing
Body.

- (a) the Chancellor; : Chairman
- (b) the Vice-Chancellor; : Member
- (c) three persons nominated by the Society, : Members
out of whom two shall be eminent
educationists;
- (d) one expert of management or infor- : Member
mation technology;
- (e) one expert of Finance, nominated by the : Member
Chancellor;
- (f) the Secretary to Government of Punjab, : Member
Department of Higher Education or his
representative not below the rank of Joint
Secretary; and
- (g) one eminent educationist nominated by : Member
the Secretary to Government of Punjab,
Department of Higher Education in
consultation with the Chancellor.

(2) The Governing Body shall be the supreme body of the University. It shall perform the following functions, namely:-

- (a) to provide general superintendence and to give directions for controlling the functioning of the University in accordance with the statutes, ordinances and regulations;
 - (b) to review the decisions of other authorities of the University in case these are not in conformity with the provisions of the statutes, ordinances and regulations;
 - (c) to approve the budget and annual report of the University;
 - (d) to lay down the extensive policies to be followed by the University; and
 - (e) to exercise such other powers, as may be prescribed by the statutes.
- (3) The Governing Body shall meet at least twice in a calendar year.
- (4) The quorum for meeting of the Governing Body shall be five.

The Board of
Management.

16. (1) The Board of Management shall consist of the following members, namely:-

- (a) the Chancellor or his nominee; : Chairperson
- (b) the Vice-Chancellor; : Member
- (c) two members of the Society nominated by the Society; : Members
- (d) the Director of the Directorate concerned relating to education as representative of the State Government; : Member
- (e) three persons, who are not the members of the Society, nominated by the Society; : Members
- (f) two persons from amongst the teachers nominated by the Society; and : Members
- (g) two teachers, nominated by the Chancellor. : Members

(2) The Board of Management shall exercise such powers and perform such functions, as may be prescribed.

(3) The Board of Management shall meet at least twice in a calendar year.

(4) The quorum for meeting of the Board of Management shall be five.

17. (1) The Academic Council shall consist of the following members, namely:- The Academic Council.

- (a) the Vice-Chancellor; : Chairperson
- (b) one eminent academician nominated by the State Government as its representative; and : Member
- (c) such other members as may be prescribed. : Members

(2) The Academic Council shall be the main academic body of the University and it shall, subject to the provisions of this Ordinance, statutes, ordinances and regulations, coordinate and exercise general supervision over the academic policies of the University.

(3) The quorum for meeting of the Academic Council shall be such, as may be prescribed.

18. (1) The Finance Committee shall consist of the following members, namely :- The Finance Committee.

- (i) the Vice-Chancellor; : Chairperson
- (ii) the Dean, Academic Affairs; : Member
- (iii) the Registrar; : Member
- (iv) two persons nominated by the Society out of whom one shall be a financial expert; and : Members
- (v) the Chief Finance and Accounts Officer. : Member-Secretary

(2) The members nominated by the Society shall hold office for a period of two years.

19. (1) The Chief Accounts and Finance Officer shall get the annual budget of the University prepared along with the requisite documents and submit the same to the Finance Committee for its approval. The Chief Accounts and Finance Officer shall also get the accounts of the annual income and expenditure of the University prepared and get the same audited from the Chartered Accountant, so appointed by the Finance Committee in this regard. Functions of the Finance Committee.

(2) The budget approved by the Finance Committee, alongwith the note with regard to the audit of income and expenditure of the University, referred to in sub-section (1), shall be placed before the Chancellor for its approval.

(3) The Finance Committee shall tender advice to the Chancellor on financial matters of the University.

Other authorities. 20. The composition, constitution, powers and functions of authorities under clause (iv) of section 14, shall be such, as may be prescribed.

Disqualification for membership of an authority or body. 21. A person shall be disqualified for being a member of any of the authorities or body of the University, if he,-

- (i) is of unsound mind and stands so declared by a competent court; or
- (ii) is an un-discharged insolvent; or
- (iii) has been convicted of any offence involving moral turpitude: or
- (iv) has been punished for indulging in or promoting unfair practice in the conduct of any examination in any form.

Acts or proceedings not to be invalidated due to vacancies. 22. No act done or proceedings taken under this Ordinance by an authority or body of the University shall be invalid merely on the ground of,-

- (a) any vacancy or defect in the constitution of the authority or body; or
- (b) any defect or irregularity in nomination or appointment of person acting as member thereof; or
- (c) any defect or irregularity in such act or proceeding not affecting the merits of the case.

Filling up of emergent vacancies. 23. If any vacancy occurs in any authority or body of the University due to death, resignation or removal of member or due to change of capacity in which he was appointed or nominated, the same shall be filled in as early as possible by the authority or body which had appointed or nominated such a member:

Provided that the person so appointed or nominated as a member of any authority or body of the University in an emergent vacancy shall remain member of such authority or body only for the remaining tenure of the member, in whose place he is appointed or nominated, as the case may be.

Committees. 24. The authorities or officers of the University may constitute such committees, as may be necessary for performing specific tasks by such committees. The constitution of such committees and their duties shall be such, as may be prescribed.

Running special school for imparting free education to students. 25. Notwithstanding anything contained in this Ordinance, the Society shall run a special school for imparting education to minimum fifty students in 11th class and 12th class, free of cost, which shall also include the facility of free accommodation and free diet. Admission of the students shall be made on the

basis of merit.

26. (1) The Governing Body may, from time to time, make statutes or may amend or repeal the same. Power to make statutes.

(2) The statute or any amendment made therein or repeal thereof shall require the approval of the Chancellor.

(3) Subject to the provisions of this Ordinance, the statutes may provide for the following matters, namely:-

- (i) the constitution, powers and functions of the authorities and other bodies of the University, as may be constituted from time to time;
- (ii) the terms and conditions of appointment of the Vice- Chancellor and his powers and functions;
- (iii) the manner, terms and conditions of appointment of the Registrar and Chief Finance and Accounts Officer and their powers and functions;
- (iv) the manner, terms and conditions of appointment of other officers and teachers and their powers and functions;
- (v) the terms and conditions of service of the employees of the University;
- (vi) the procedure for arbitration in case of dispute between University, officers, teachers, employees and students;
- (vii) the conferment of honorary degrees;
- (viii) the exemption of students from payment of tuition fee and for awarding them scholarships and fellowships;
- (ix) the policy of admissions, including regulation of reservation of seats;
- (x) the number of seats in different courses; and
- (xi) any other matter for which statutes are required to be made under this Ordinance.

(4) After the approval of the Chancellor, the statutes of the University shall be submitted to the State Government for its approval.

(5) The State Government shall consider the statutes submitted by the University and shall give its approval without or with such modifications, if any, as it may deem necessary and return the statutes to the University.

(6) The University shall, with the approval of the Governing Body, communicate its concurrence to the statutes as approved by the State

Government, and if it desires not to give effect to any or all of the modifications made by the State Government, it may give reasons thereof.

(7) After the statutes are finally approved by the State Government, these shall be published in the Official Gazette of the University.

(8) The statutes so made, shall not be amended without the approval of the State Government.

Power to make ordinances.

27. (1) The Governing Body may, from time to time, make ordinances or may amend, or repeal the same.

(2) Every ordinance or any amendment made therein or repeal thereof, shall require the approval of the Chancellor.

(3) Subject to the provisions of this Ordinance, the ordinances may provide for the following matters, namely:-

- (i) the admission of students to the University and their enrolment as such;
- (ii) the courses of study to be laid down for the degrees, diplomas and certificates of the University;
- (iii) the degrees, diplomas, certificates and other academic distinctions;
- (iv) the fees to be charged for various courses, examinations, degrees and diplomas of the University;
- (v) the conditions for the award of fellowships, scholarships, studentships, medals and prizes;
- (vi) the conduct of examinations, including the terms of office, manner of appointment and the duties of the examining bodies, examiners and moderators;
- (vii) the conditions of hostel facilities for students in the University;
- (viii) taking disciplinary action against the students of the University;
- (ix) the creation, composition and functions of any other body, which is considered necessary for improving the academic standard of the University;
- (x) the manner of co-operation and collaboration with Universities and institutions; and
- (xi) any other matter which by this Ordinance or the statutes made there under are required to be provided by the ordinances.

(4) After the approval of the Chancellor, the ordinances of the University

shall be submitted to the State Government for its approval.

(5) The State Government shall consider the ordinances submitted by the University and shall give its approval without or with such modifications, if any, as it may deem necessary and return the same to the University.

(6) The University shall, with the approval of the Governing Body, communicate its concurrence to the ordinances as approved by the State Government and if it desires not to give effect to any or all of the modifications made by the State Government, it may give reasons thereof.

(7) After the ordinances are finally approved by the State Government, these shall be published in the Official Gazette of the University.

(8) The ordinances so made, shall not be amended without the approval of the State Government.

28. (1) The Governing Body may, from time to time, make regulations or may amend or repeal the same. Power to make regulations.

(2) Every regulation or any amendment made therein or repeal thereof, shall require the approval of the Chancellor.

(3) After the approval of the Chancellor, the regulations of the University shall be submitted to the State Government for its approval.

(4) The State Government shall consider the regulations submitted by the University and shall give its approval without or with such modifications, if any, as it may deem necessary and forward the same to the University.

(5) The University shall, with the approval of the Governing Body, communicate its concurrence to the regulations as approved by the State Government and if it desires not to give effect to any or all of the modifications made by the State Government, it may give reasons thereof.

(6) After the regulations are finally approved by the State Government, these shall be published in the Official Gazette of the University.

(7) The regulations so made, shall not be amended without the approval of the State Government.

29. (1) The University shall be prohibited from conferring any degrees, not recognized by the University Grants Commission or its equivalent body constituted by the Central Government. University to follow rules, regulations etc. of the regulating bodies.

(2) It shall be mandatory for the University to follow the University Grants Commission (Establishment and Maintenance of Standards in Private

Universities) Regulations, 2003, or any other regulations made for private Universities by the University Grants Commission or other regulatory bodies.

General Fund.

30. (1) The University shall have General Fund to which shall be credited,-

- (a) fees and other charges received by the University;
- (b) any income received from consultancy and other work undertaken by the University; and
- (c) funds and grants received from any source by the University for research projects from any Government and Non-Governmental funding agencies.

(2) The General Fund shall be utilized for the following purposes, namely:-

- (a) for the repayment of the debts including interest charges thereto incurred by the University;
- (b) for the upkeep of the assets of the University;
- (c) for the payment of the cost of audit of the fund;
- (d) for meeting the expenses of any suit or proceedings;
- (e) for the payment of salaries and allowances to the officers and employees of the University and for the payment of any benefits to any such officer and employee;
- (f) for the payment of travelling and other allowances to the members of the authorities, committee or Board of the University;
- (g) for the payment of fellowships, scholarships, assistantships and other awards to students belonging to economically weaker sections of the society or research associates or trainees, as the case may be, or to any student eligible for such awards;
- (h) for the payment of any expenses incurred by the University;
- (i) for acquisition of land or any kind of development work or likewise activities for the purpose of the University;
- (j) for the payment of cost of capital and repayment of loans incurred by the Society for setting up and running the University and the investments made therefor;
- (k) for the payment of charges and expenditure relating to the consultancy work undertaken by the University; and

- (l) for the payment of any expenditure, salaries, taxes, liabilities by the Society for or on behalf of the University.

31. The accounts of the income and expenditure of the University shall be audited by the Chartered Accountant of the University and the same shall be submitted once in a year by the Chief Finance and Accounts Officer to the Governing Body for its approval. Annual report.

32. The University shall prepare and publish a semester-wise or annual, as the case may be, tentative schedule of Examinations including academic activities to be conducted by the University in the beginning of each academic session, but not later than the 30th day of August in a calendar year. Examination.

Explanation :- 'Schedule of Examinations' means the time table giving details about the time, day and date of the commencement of each paper which is part of the scheme of examinations including the details of practical examinations and viva-voce, if any.

33. (1) The University shall strive to declare the results of examinations conducted by it within a period of forty-five days from the last date of the examination of particular course but, in any case, not later than sixty days from the said date. Declaration of results.

(2) No examination or the result of an examination shall be held invalid only for the reason that the University has not followed the schedule of Examinations.

34. The convocation of the University shall be held in every academic year for conferring degrees, diplomas, certificates or any other academic distinction or for any other purpose in the manner, as may be prescribed. Convocation.

35. If any dispute arises with respect to the appointment or entitlement of any person, to be a member of any authority or other body of the University, the same shall be referred to the Chancellor, whose decision thereon shall be final and binding. Disputes concerning authorities and bodies.

36. If any difficulty arises in giving effect to any of the provisions of this Ordinance, the State Government may, in consultation with the Chancellor, by an order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Ordinance, as it may deem necessary for removing such difficulty: Power to remove difficulties.

Provided that no such order shall be made under this section after the expiry of a period of two years from the date of commencement of this Ordinance.

Protection of
action taken in
good faith.

37. No suit or other legal proceeding shall lie against any officer or employee of the University for anything which is done in good faith or intended to be done in pursuance of the provisions of this Ordinance or the statutes, ordinances or regulations.

Transitory
provisions.

38. Notwithstanding anything contained in this Ordinance and the statutes, ordinances or regulations made thereunder, the Society may, subject to the availability of the funds, discharge all or any of the functions of the University for the purposes of carrying out the provisions of this Ordinance or the statutes, the ordinances and the regulations and for that purpose, may exercise such powers and perform such duties, which by this Ordinance or by such statutes, the ordinances and the regulations, are to be exercised or performed by any authority or officer of the University, until such authority comes into existence or officer is appointed.

PROF. KAPTAN SINGH SOLANKI,
Governor of Punjab.

VIVEK PURI,
Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.

PART III
GOVERNMENT OF PUNJAB
DEPARTMENT OF IRRIGATION
NOTIFICATION

The 17th August, 2016

No.G.S.R. 52/Const./Art. 309/2016.-In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules, regulating the recruitment and the conditions of Service of the persons appointed to the Punjab Irrigation Department Canal Patwaris' (Group-C) Service, namely:-

- 1. Short title, commencement and application.-** (1) These rules may be called the Punjab Irrigation Department Canal Patwaris' (Group-C) Service Rules, 2016.
 - (2) They shall come into force on and with effect from the date of their publication in the official Gazette.
 - (3) They shall apply to the posts specified in Appendix 'A'.
- 2. Definitions.-** In these rules, unless the context otherwise requires,-
 - (a) 'Appendix' means an appendix appended to these rules;
 - (b) 'Chief Engineer' means a Chief Engineer of Irrigation Department;
 - (c) 'Government' means the Government of the State of Punjab in the Department of Irrigation; and
 - (d) 'Service' means the Punjab Irrigation Department Canal Patwaris' (Group-C) Service.
- 3. Number and character of posts.-** The Service shall comprise the posts specified in Appendix 'A':

Provided that nothing in these rules shall affect the inherent right of the Government to add to or reduce the number of such posts or to create new posts with different designations and scales of pay, whether permanently or temporarily.
- 4. Appointing authority.-** Appointment to the Service shall be made by the Chief Engineer who has been delegated the power by the Government in this behalf.
- 5. Method of appointment, qualification and experience.-** (1) Appointment to the Service shall be made in the manner specified in the Appendix 'B':

Provided that if, no suitable candidate is available for appointment by promotion and by direct appointment, then appointment to the Service shall be made by transfer of a person holding an analogous post under a State Government or Government of India.

(2) No person shall be appointed to a post in the Service, unless he possesses the qualifications and experience as specified against that post in Appendix 'B'.

(3) Appointment to the Service by promotion shall be made on the basis of seniority-cum-merit, but no person shall have any right to claim promotion on the basis of seniority alone.

- 6. Pay of members of the Service.-** The members of the Service, shall be entitled to such scales of pay, as may be authorized by the Punjab Government from time to time. The scales of pay, at present, in force in respect of the members of the Service, are given in Appendix 'A'.
- 7. Training and Patwar Examination.-** Every accepted candidate Patwari shall have to pass patwar examination after completing three months training in the practical duties of a Canal Patwari in Zilledar's section and shall have to pass part (iv), (v), (vi) and (vii) of the patwar examination detailed in Appendix 'C'. At the expiration of the training course, the Zilledar will give to each accepted candidate, who may have earned it, a certificate, required under parts (iv) and (vi), without which no candidate shall be allowed to present himself for examination. No candidate shall be allowed to appear in the examination more than twice. Failed candidates shall not be considered for appointment. Departmental candidates who fail in the said examination shall not be promoted. The patwar examination will be held twice a year. The date of appointment by direct appointment or by promotion shall be considered from the date of joining duty consequent upon passing of patwar examination and issue of appointment/promotion orders. No remuneration will be paid for training.
- 8. Discipline, punishment and appeal.-** (1) In the matters of discipline, punishment and appeal, the members of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal), Rules, 1970, as amended from time to time.
- (2) The authority empowered to impose penalties as specified in rules 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, and the appellate authority there under in respect of the members of the Service, shall respectively, be the Chief Engineer and the Government.
- 9. Application of the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.-** (1) In respect of the matters, which are not specifically provided in these rules, the members of the Service shall be governed by the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994 as amended from time to time.
- (2) The Punjab Civil Services (General and Common Conditions of Service) Rules, 1994, at present in force, are contained in Appendix 'D'.

10. Repeal and saving.- The Punjab Public Works Department (Irrigation Branch) Patwaris' State Service, Class-III, Rules, 1955 are hereby repealed:

Provided that any order issued or any action taken under the rules so repealed, shall be deemed to have been issued or taken under the corresponding provisions of these rules.

11. Interpretation.- If any question arises as to the interpretation of these rules, the Government, in consultation with the Department of Personnel, shall decide the same.

Appendix – ‘A’

(See rule 1(3), 3 and 16)

Serial No.	Designation of post	Number of posts			Scale of pay (Pay Band+ Grade Pay) (In rupees)
		Permanent	Temporary	Total	
1.	2.	3.	4.	5.	6.
1.	Canal Patwari	1370	--	1370	10300-34800+ 3200

Appendix 'B'

(See rules 5 and 7)

Serial No.	Designation of the Post	Percentage for appointment by		Qualifications and experience for recruitment by	
		Direct appointment	Promotion	Direct appointment	Promotion
1.	2.	3.	4.	5.	6.
1.	Canal Patwari	Eighty five percent	Fifteen percent	From amongst the candidates who are Graduates from a recognized University or institution and possess at least 120 hours course with working experience in the use of Personal Computer or Information Technology in Office Productivity Application or Desktop Publishing Application from a Government recognized institution or a reputed institution, which is ISO 9001 certified. Before joining, the candidate shall have to get three months training of Canal Patwari and pass patwar examination, as prescribed in rule 7.	From amongst the Group 'C' employees,- Work Mistry, Earth Work Mistry, Masson, Signaller, Supervisor, Time Clerk, Store Keeper, Store Munshi and Field Reclamation Assistant, who have an experience of working as such for a period of five years on regular basis and who are Graduates from a recognized University or Institution. They should also possesses at least 120 hours course with working experience in the use of Personal Computer or Information Technology in Office Productivity Application or Desktop Publishing

Application from a Government recognized institution or a reputed institution, which is ISO 9001 certified. Before joining, the candidate shall have to get three months training of Canal Patwari and pass patwar examination, as prescribed in rule 7.

APPENDIX-‘C’

(See rule 7)

There shall not be less than two examinations for the Circle during the year. The examination will be conducted by the Divisional Officers in rotation. The examination will be held, when necessary, by the Divisional Officer whose turn it is, who will convene a board (consisting of himself as President and the Deputy Collector and a Sub-Divisional Officer as Members) for the purpose of examining trained candidates in the following subject:-

		Maximum Marks	Pass Marks
(i)	Arithmetic- including compound division	25	20
(ii)	Mensuration- of plane surfaces, triangles and polygonal figures.	50	30
(iii)	Caligraphy- To write a clear and legible hand in Punjabi; Preference will, however, be given to those candidates who, in addition to Punjabi, can write English. To write an easy Punjabi exercise from dictation.	50	30
(iv)	Registration of Irrigation- To possess a thorough practical knowledge of a patwari's duty in this respect. To hold a certificate of having correctly written up the Irrigation register (shudkar Khasra) of a village for not less than 300 acres in the crop. The irrigation will be written up on the special shudkar khasra form provided for the purpose. To be able to read a village map (shajrah) and to follow the fields accurately on the ground; to be able to measure accurately by pacing, and to calculate mentally the areas of fields so paced; to be able to measure a field of any shape by chain.	50	30
(v)	Mapping and drawing-- To be able to lay down correctly on village map the line of water-course; to be able to lay out a settlement square (that being the basis of a village map) and to fill in the field boundaries thereon. To know the method of making a village map and reducing such map to a smaller scale by the method of squares. To be able to trace a village map on cloth or paper.	50	30

(vi) The Demand Statement (Khatauni)--	To possess a thorough practical knowledge of the method of posting a demand statement and of preparing the irrigator's bills (parchas). To hold a certificate of having actually prepared the demand statement of an entire village from the irrigation register in a satisfactory manner. To be able to work out the amounts to be assessed, both mentally and by reference to a rate table. To be able to repeat orally all the water rates according to the schedule in force in the Division where the candidate was trained.	50	30
(vii) Miscellaneous-	To be fully acquainted with a patwari's duty on the occasion of a breach in the bank of a canal or distributary, or of over-flow from a channel. To know the times for the successive watering of each kind of crop and the approximate dates of harvesting, and other miscellaneous matters connected with the work and duties of a patwari. Also to be able to take the discharges of small channels with fair accuracy.	50	30
(viii) Canal Act-	To know such portions of the Northern India Canal and Drainage Act, 1873 (Act No. VIII of 1873) and the rules framed thereunder as appertain to his work; the system of assessing wasted and used in an unauthorized manner.	50	30

APPENDIX 'D'

(See rule-9)

**GOVERNMENT OF PUNJAB
DEPARTMENT OF PERSONNEL
AND ADMINISTRATIVE REFORMS
(PERSONNEL POLICIES BRANCH-I)**

NOTIFICATION

The 4th May, 1994

No. G.S.R.33/Const./Art.309/94.-In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, and all other powers enabling in this behalf, the Governor of Punjab is pleased to make the following rules regulating the recruitment and general and common conditions of service of persons appointed to Group 'A', Group 'B' and Group 'C' services in connection with the affairs of the State of Punjab, namely:-

1. Short title, commencement and application-(1) These rules may be called the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.

(2) They shall come into force at once.

(3) They shall apply to all the posts in Group 'A', Group 'B' and Group 'C' services in connection with the affairs of the State of Punjab.

2. Definition.-In these rules, unless the context otherwise requires-

(a) "appointing authority" means an appointing authority specified as such in the Service Rules made under article 309 of the Constitution of India in respect of any service or Post in connection with the affairs of the State of Punjab.

(b) "Board" means the Subordinate Service Selection Board, Punjab or any other authority constituted to perform its functions;

(c) "Commissioner" means the Punjab Public Service Commission;

(d) "direct appointment" means an appointment made otherwise than by promotion or by transfer of a person already in the service of Government of India or of a State Government;

(e) "Government" means the Government of the State of Punjab in the Department of Personnel and Administrative Reforms;

(f) "recognised university or institution" means,-

(i) any university or institution incorporated by law in any of the State of India;
or

-
- (ii) any other university or institution, which is declared by the Government to be recognised university or institution for the purposes of these rules;
 - (g) “Service” means any Group ‘A’ Service, Group ‘B’ Service and Group ‘C’ Service constituted in connection with the affairs of the state of Punjab as per scales given in the Appendix.
 - (h) “Service Rules” means the service rules made under article 309 of the Constitution of India regulating the recruitment and conditions of service of persons appointed to any service or post in connection with the affairs of the State of Punjab; and
 - (i) “War hero” means a defence services personnel, or a para-military forces personnel, who is a bona fide resident of Punjab State and is killed or discharged from the above service on account of disability suffered by him while fighting for defending the border of the country in Kargil sector of the State of Jammu and Kashmir or fighting for the country in any other sector or similar operation on or after the first day of January, 1999 which may be notified by the State Government as undertaken for preserving the unity and integrity of the motherland. However, in exceptional cases the cases of those war heroes can also be covered under this definition who though, not bona fide residents of Punjab State, but are yet closely connected to the state of Punjab. In such exceptional cases, the express approval of the Department of Personnel will be mandatory.

3. Nationality, domicile and character of person appointed to the Service.- (1)

No person shall be appointed to the Service unless he is,-

- (a) a Citizen of India; or
- (b) a Citizen of Nepal; or
- (c) a Subject of Bhutan; or
- (d) a Tibetan refugee who came over to India before the 1st day of January, 1962 with the intention of permanently settling in India; or
- (e) a person of India origin who has migrated from Pakistan, Burma, Sri Lanka and East African Countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire, Ethiopia and Vietnam with the intention of permanently settling in India;

Provided that a person belonging to any of the categories (b), (c), (d) and (e) shall be person in whose favour a certificate of eligibility has been given by the Government of Punjab in the Department of Home Affairs and Justice.

- (2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or the Board, as the case may

be, on his furnishing proof that he has applied for the certificate but he shall not be appointed to the service unless the necessary certificate is given to him by the Government of Punjab in the Department of Home Affairs and Justice.

(3) No person shall be recruited to the service by direct appointment, unless he produced,-

- (a) a certificate of character from the principal academic officer of the university, college, school or institution last attended, if any, and similar certificate from two responsible persons not being his relatives, who are well acquainted with him in his private life and are unconnected with his university, college, school or institution; and
- (b) An affidavit to the effect that he was never convicted for any criminal offence involving moral turpitude and that he was never dismissed or removed from service or any State Government or of Government of India, or of any Public Sector Undertaking.

4. Disqualification-No person:-

- (a) who has entered into or contracted a marriage with a person having spouse living; or
- (b) who, having a spouse living, has entered into or contracted a marriage with any person shall be eligible for appointment to the Service:

Provided that the Government, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Age.- (1) No person shall be recruited to the Service by direct appointment, if he is less than eighteen years or is more than thirty years of age in the case of non-technical posts and thirty-five years in the case of technical posts on the 1st day of January of the year immediately preceding the last date fixed for submission of applications by the Commission or the Board, as the case may be, or unless he is within such range of minimum and maximum age limits as may be specifically fixed by the Government from time to time:

Provided that where different lower and upper age limits have been specifically prescribed for posts in the Service Rules, these limits shall be made applicable for appointment to such posts:

Provided further that the upper age limit may be relaxed upto forty-five years in the case of persons already in the employment of the Punjab Government, other State Government or the Government of India.

Provided further that in the case of candidates belonging to Scheduled Castes and other Backward Classes, the upper age limit shall be such as may be fixed by the Government from time to time.

(2) In the case of ex-servicemen, the upper age limit shall be as has been prescribed in the Punjab Recruitment of Ex-servicemen Rules, 1982, as amended from time to time.

(3) In the case of appointment on compassionate grounds on priority basis, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

(4) In the case of appointment of a War-hero, who has been discharged from defence services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

6. Qualification-Subject to the provisions of these rules, the number and character of posts, method of recruitment and educational qualifications and experience for appointment to a post or posts in a Service and the departmental examination if any, shall be such as may be specified in the Service Rules made for that Service

Provided that where appointment of Group 'A' or Group 'B' non-technical post is offered to a war-hero, who has been discharged from defence services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, under the instructions issued in this behalf by the Government, the educational qualification to be possessed by such person shall be graduation from a recognised university. Such person who is offered Group 'A' or Group 'B' or Group 'C' non-technical post, shall not, however, be required to possess experience of technical or non-technical post at the time of his initial appointment.

7. Probation.-(1) A person appointed to any post in the service shall remain on probation for a period of two years, if recruited by direct appointment and one year if appointed otherwise:

Provide that.-

- (a) any period, after such appointment, spent on deputation on a corresponding or a higher post shall count towards the period of probation;
- (b) in any case of an appointment by transfer, any period of work on an equivalent or higher rank, prior to appointment to the Service, may in the discretion of the appointing authority, be allowed to count towards the period of probation;
- (c) any period of officiating appointment to the Service at the end of period of probation, shall be counted towards the period of probation.

(2) If, in the opinion of the appointing authority, the work or conduct of a person

during the period of probation is not satisfactory or he has failed to pass the departmental examination, if any, prescribed in Service Rules within a period not exceeding two and a half years from the date of appointment, it may,-

- (a) if such person is recruited by direct appointment dispense with his service, or revert him to a post on which he held lien prior to his appointment to the Service by direct appointment; and
 - (b) if such person is appointed otherwise-
 - (i) revert him to his former post; or
 - (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.
- (3) On the completion of the period of probation of a person, the appointing authority may-
- (a) if his work and conduct has in its opinion been satisfactory-
 - (i) confirm such person, from the date of his appointment or from the date he completes his period of probation satisfactorily, if he is not already confirmed; or
 - (ii) declare that he has completed his probation satisfactorily, if he is already confirmed; or
 - (b) if his work or conduct has not been in its opinion, satisfactory or if he has failed to pass the departmental examination, if any, specified in the Service Rules-
 - (i) dispense with his services, if appointed by direct appointment or if appointed otherwise revert him to his former post, or deal with him in such other manner as the terms and conditions of his previous appointment may permit;
 - (ii) extend his period of probation and thereafter pass such order as it could have passed on the expiry of the period of probation as specified in sub-rule (1):

Provided that the total period of probation including extension, if any, shall not exceed three years.

8. Seniority.-The seniority inter se of persons appointed to posts in each cadre of a Service shall be determined by the length of continuous service on such post in that cadre of the Service.

Provided that in the case of persons recruited by direct appointment who join within the period specified in the order of appointment or within such period as may be extended

from time to time by the appointing authority subject to a maximum of four months from the date of order of appointment the order of merit determined by the Commission or the Board, as the case may be, shall not be disturbed:

Provided further that in case a person is permitted to join the post after the expiry of the said period of four months in consultation with the Commission or the Board, as the case may be, his seniority shall be determined from the date he joins the post:

Provided further that in case any person of the next selection has joined a post in the cadre of the concerned Service before the person referred to in the preceding proviso joins, the person so referred shall be placed below all the persons of the next selection who join within the time specified in the first proviso:

- (a) a person appointed by direct appointment shall be senior to a person appointed otherwise;
- (b) a person appointed by promotion shall be senior to a person appointed by transfer;
- (c) in the case of persons appointed by promotion or transfer, the seniority shall be determined according to the seniority of such persons in the appointments from which they were promoted or transferred; and
- (d) in the case of persons appointed by transfer from different cadres their seniority shall be determined according to pay, preference being given to a persons who was drawing a higher rate of pay in his previous appointment; and if the rate of pay drawn are also the same, then by their length of service in these appointments and if the length of service is also the same, an older person shall be senior to a younger person.

Note:- Seniority of persons appointed on purely provisional basis or on ad hoc basis shall be determined as and when they are regularly appointed keeping in view the dates of such regular appointment.

9. Liability of members of Service to transfer.-A member of a Service may be transferred to any post whether included in any other service or not, on the same terms and conditions as specified in rule 3.17 of the Punjab Civil Service Rules, Volume-I, Part-I.

10. Liability to serve.-A member of Service shall be liable to serve at any place, whether within or out of the State of Punjab, on being ordered so to do by the appointing authority.

11. Leave, Pension and other matters.-In respect of pay, leave, pension and all other matters not expressly provided for in these rules, a member of Service shall be governed by such rules and regulations as may have been or may hereafter be adopted or made by the competent authority.

12. Discipline, penalties and appeals.-(1) In the matter of discipline, punishment and

appeals, a member of Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970 as amended from time to time.

(2) The authority empowered to impose penalties specified in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 and the appellate authority thereunder in respect of the Government employee shall be such as may be specified in the Service Rules.

13. Liability for vaccination and re-vaccination.-Every member of a Service shall get himself vaccinated or re-vaccinated when Punjab Government so directs by a special or general order.

14. Oath of allegiance.- Every member of a Service unless he has already done so, shall be required to take oath of allegiance to India and to the Constitution of India as by law established.

15. Minimum educational and other Qualifications.-(1) No person shall be appointed by direct appointment to the post of Clerk under the Punjab Government unless he is Matriculate in Second Division or has passed Senior Secondary Part-II Examination from a recognised university or institution.

(2) The person so appointed as Clerk in terms of sub-rule (1) shall have to qualify a test in Punjabi typewriting to be conducted by the Board or by the appointing authority at the speed of thirty words per minute within a period of one year from the date of his appointment.

(3) In case, the person fails to qualify the said test within the period specified in sub-rule (2) shall be allowed annual increment only with effect from the date he qualifies such test, but he shall not be paid any arrears for the period, for which he could not qualify the said test:

Provided that where appointment of Group 'C' non-technical post is offered to a War Hero, who has been discharged from defence services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, under the instructions issued in his behalf by the Government, the educational qualifications to be possessed by such person shall be Matriculate from a recognised university or institution. Such person will, however, be not required to qualify the test in Punjabi typewriting as specified in sub-rule (2).

16. Minimum educational and other qualifications for appointment to the post of Steno-typist Grade-II or Junior Scale Stenographer Grade-II.-No person shall be appointed by direct appointment to a post of a Steno-typist Grade-II, or a Junior Scale Stenographer Grade-II under the Punjab Government, unless he-

- (a) is Matriculate in Second Division or has passed Senior Secondary Part-II examination from a recognised university or institution; and

- (b) qualifies a test in Punjabi Stenography to be held by the Board or by the appointing authority at a speed to be specified by the Government from time to time.

17. Knowledge of Punjabi Language.-No person shall be appointed to any post in any service by direct appointment unless he has passed Matriculation examination with Punjabi as one of the compulsory or elective subjects or any other equivalent examination in Punjab language, which may be specified by the Government from time to time:

Provided that where a person is appointed on compassionate grounds on priority basis under the instructions issued in this behalf by the Government from time to time, the person so appointed shall have to pass an examination of Punjabi Language equivalent to Matriculation standard or he shall have to qualify a test conducted by the Language Wing of the Department of Education of Punjab Government within a period of six months from the date of his appointment:

Provided further that where educational qualifications for a post in any service are lower than the Matriculation standard, then the person so appointed shall have to pass an examination of Punjabi Language equivalent to Middle standard:

Provided further that where a War Hero, who has been discharged from defence services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, is appointed under the instructions issued in this behalf by the Government, the person so appointed will not be required to possess aforesaid knowledge of Punjabi Language:

Provided further that where a ward of Defence Service Personnel, who is a bona fide resident of Punjab State, is appointed by direct appointment, he shall have to pass an examination of Punjabi Language equivalent to matriculation Standard or he shall have to qualify a test conducted by the Language Wing of the Department of Education of Punjab Government within a period of two years from the date of his appointment.

18. Promotion to Group 'A' and Group 'B' Services.-(1) (a) For promotion to the post as Head of Department would be decided strictly on the basis of merit-cum-seniority as per the instructions issued by the Government from time to time. The minimum benchmark for promotion for such post would be 'Very Good'. The officer who is graded as 'Outstanding' would supersede the officer grades as 'Very Good'.

- (b) For promotion to post falling in Group 'A' other than Head of Department, the minimum benchmark will be 'Very Good' as per instructions issued by the Government from time to time. There shall be no supersession on the basis of merit.
- (c) For promotion to post falling in Group 'B', the minimum benchmark will be 'Good' and there shall be no supersession on the basis of merit.

(2) **Debarring for consideration for promotion of a Government Employee who refuses to accept promotion.**-In the event of refusal to accept promotion by a member of a service, he shall be debarred by the appointing authority from consideration for promotion for all the consecutive chances which may occur in future within a period of two years from the date of such refusal to accept promotion:

Provided that in case where the appointing authority is satisfied that a member of a service has refused to accept promotion under the circumstances beyond his control, it may exempt such a member for reasons to be recorded, therefore in writing from the operation of this rule.

19. Power to relax.-Where the Government is of the opinion that it is necessary to expedient so to do, it may by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category or persons:

Provided that the provisions relating to educational qualifications and experience, if any shall not be relaxed.

20. Over riding effect.-The provisions of these rules shall have effect notwithstanding anything contrary contained in any rules for the time being in force for regulating the recruitment and conditions of service for appointment to public service and posts in connection with the affairs of the State.

21. Interpretation.-If any, question arises as to the interpretation of these rules, the Government shall decide the same.

A.S. CHATHA,
Chief Secretary to Government of Punjab

KAHAN SINGH PANNU,
Secretary to Government of Punjab,
Department of Irrigation.